

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7411

BILL NUMBER: SB 336

NOTE PREPARED: Jan 4, 2005

BILL AMENDED:

SUBJECT: Court Fees for GAL/CASA Programs.

FIRST AUTHOR: Sen. Simpson

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill permits a county's legislative body to adopt an ordinance requiring circuit and superior courts to collect a Supplemental Guardian Ad Litem (GAL) fee, to be deposited in the county's Guardian Ad Litem Fund, or a Supplemental Court Appointed Special Advocate (CASA) fee, to be deposited in the county's Court Appointed Special Advocate Fund.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: This bill allows a county legislative body to adopt an ordinance requiring the superior and circuit courts to collect a Supplemental Guardian ad Litem fee, or Supplemental Court Appointed Special Advocate (CASA) fee. Neither fee is to exceed \$10. The bill allows the county to restrict the types of criminal or civil actions that the fee applies to. Supplemental Guardian ad Litem fees are to be deposited in the county Guardian ad Litem Fund, and Supplemental CASA fees are to be deposited in the county Court Appointed Special Advocate Fund. The bill could increase revenue for counties, however, whether or not the fee is charged is dependent on whether the county has passed an ordinance and is at the discretion of the court. Any increase in revenues is dependent on the number of cases in which a fee is collected and the dollar amount of the fee.

Background Information: The Indiana Supreme Court currently appropriates \$800,000 of its funding to the Indiana CASA program. This money is then allocated by the central office to the 69 operational programs. There are currently 23 counties in the state that do not have a CASA program. State law requires a CASA representative be appointed in certain cases. Counties that do not have a CASA program often appoint a lawyer as the CASA worker. The CASA program served approximately 14,790 children in 2003, of which 9,739 were new cases.

State Agencies Affected:

Local Agencies Affected: Superior and circuit courts; Counties.

Information Sources: Leslie Rogers, Office of the Guardian Ad Litem, 232-2542.

Fiscal Analyst: Sarah Brooks, 317-232-9559.